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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Kristopher Henry Vietmeier
Application No.:	10/774922
Filed:	February 9, 2004
For:	Process Method for Attaching Radio Opaque Markers to Shape Memory Stent
Examiner:	Jernie E. Cozart
Group Art Unit:	3738

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Docket No.: S63.2B-11269-US01

## DECLARATION OF KRISTOPHER HENRY VIETMEIER UNDER §1.132

I, Kristopher Henry Vietmeier state:

- DO  
NOT  
ENTER  
K  
9/26/06
1. I have been employed as a Mechanical Engineer with Boston Scientific since July, 1993. I have a Bachelor of Science degree in Mechanical Engineering from the University of Minnesota. I am very familiar with the structure of stents and their expansion and shape memory characteristics. I have a level of knowledge and familiarity with these that is at least equivalent to that of one of ordinary skill in the art.
  2. I am the inventor of U.S. Pat. App. No. 10/774922 and I provide this Declaration in support of the patentability of the invention described therein.
  3. I have been asked to comment on the presently claimed invention in U.S. Pat. App. No. 10/774922. Specifically, whether it is an advantage, in the enlarging step of claims 1 and 17, that the receptacle in the claims maintains its shape when it is enlarged while in its martensitic phase as opposed to the changing of the shape of the receptacle, as described in Mackiewicz et al. (US 2005/0060025 A1) and shown in figures 4 and 6 of Mackiewicz et al.